

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CRIMINAL MINUTES

Date: March 5, 2008

JUDGE: Phyllis J. Hamilton

Case No: CR-08-0012 PJH

Case Name: UNITED STATES v. JAVIER BALION-HERNANDEZ (C)(Spanish Interpreter)

Attorney for Plaintiff: Erika Frick

Attorney for Defendant: Eric Hairston

Deputy Clerk: Nichole Heuerman

Court Reporter: Katherine Powell

Interpreter: Melinda Basker (Spanish)

PROCEEDINGS

Change of Plea-Held. Defense counsel informs the court that a small change has been made to the plea agreement. The first plea agreement was signed and certified by a Spanish interpreter. The updated version has not been signed and certified by the Spanish interpreter. Melinda Basker translates the change to the defendant and all parties have initialed the change. Mr. Hairston shall submit along with a declaration the signed portion for the Spanish interpreter section in the plea agreement by Friday 3/7/08. The court finds the defendant to be fully competent and capable of entering into an informed plea. The plea is knowing and voluntary. The court finds a factual basis for the plea. The defendant enters a plea of guilty as to count one of the Indictment. The plea is accepted by the court. The defendant is adjudged guilty of the offense. The defendant is referred to probation to conduct a presentence investigation.

CASE CONTINUED TO: May 21, 2008 at 1:30 p.m. for Sentencing.

cc: chambers